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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/917,606 | 07/27/2001 | Leo R. Blume | ERT-028 | 9811 |

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| EXAMINER |
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WILSON, JACQUELINE B

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| ART UNIT | PAPER NUMBER |
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2612

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,606

Applicant(s)

BLUME ET AL.

Examiner

Jacqueline Wilson

Art Unit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-21 is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,9,11,17,18,22 and 23 is/are rejected.
- 7) ☒ Claim(s) 3-58 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 27 July 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 5 is objected to because of the following informalities: A third connector and a third subject platform is claimed, however, a second connector and second subject platform is not indicated. The examiner believes that Claim 5 should depend on Claim 4. Appropriate correction is required.
2. Claim 22 is objected to because of the following informalities: Claim 22 does not indicate a claim from which it depends. The examiner will interpret this claim as an independent claim until correction is provided. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 22 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 recites the limitation "the subject" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6, 7, 9, 11, 17, 18, 22, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Derderian et al (US 3,675,012).

Regarding Claim 1, Derderian et al teaches a capture structure for a multi-camera comprising a camera platform (fig. 1, element 4) configured to hold the multi-camera system (8 and 14), a connector (col. 2, lines 34-36) coupled to the camera platform, and a subject platform (16) coupled to connector, wherein the location of the subject platform is restricted to a field of view of a first camera of the multi-camera capture system (see fig. 1).

Regarding Claim 2, Derderian et al teaches the connector rigidly attaches the camera platform to the subject platform (since plate 16 is flanged and supported within plate 4, this is interpreted as being “rigidly” attached).

Claim 6 is analyzed and discussed with respect to Claim 1. (See rejection of Claim 1 above.)

Regarding Claim 7, Derderian et al teaches moving the camera platform and the first subject platform in unison (synchronizing pulse generator 20 drives motors in unison, col. 1, lines 60-67).

Regarding Claim 9, Derderian et al teaches revolving the first subject platform about the camera platform within the field of view of the first camera (col. 2, lines 37-40; see also fig. 1).

Regarding Claim 11, Derderian et al teaches a camera platform (4) configured to hold a multi-camera capture system (8 and 14) and configured to move along a circular track system (inherent since the camera platform 4 is circular, it must rotate on a circular track or path).

Regarding Claim 17, Derderian et al teaches a base platform (39) and a plurality of wheels coupled to the base platform (referred to as bearings; col. 2, lines 34+).

Regarding Claim 18, Derderian et al teaches the camera platform includes a rotatable pedestal coupled to the base platform (element 7 is affixed to camera platform 4 and inherently rotates since platform 4 rotates).

Regarding Claim 22, Derderian et al teaches a multi-camera capture system (8 and 14) further comprising rotating a subject platform (16) below the subject (1; col. 1, lines 58+).

Regarding Claim 23, Derderian et al teaches the rotation of the subject platform is coordinated with movement of the camera platform (via synchronizing pulse generator 20; col. 1, lines 58-67).

3. Claims 11 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaye (US 5,497,188).

Regarding Claim 11, Kaye teaches a circular track system (fig. 2, element 48), and a camera platform (54) configured to hold the camera (12) capture system and configured to move along the circular track system (via 52). Kaye discloses that instead of using a camera (12) with a CCD, the camera also may include a plurality of CCDs to

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capture a subject (see fig. 5; col. 8, lines 3-12). This is interpreted as a multi-camera capture system.

Regarding Claim 16, Derderian teaches that the camera is positioned in a direction to capture images. By maneuvering the circular track allows the camera to capture images at different locations. Also, figure 2 shows the camera (12) is mounted to the platform (54) using 2 undisclosed attaching means. These teachings inherently disclose the platform is configurable to lock a first camera to capture a fixed direction as the camera platform moves along the circular track system.

Allowable Subject Matter

4. Claims 3-5, 8, 10, and 12-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding Claim 3, the prior art neither teaches nor fairly suggests a camera platform configured to hold a multi-camera capture system, a connector coupled to the camera platform, and a subject platform coupled to connector, wherein the location of the subject platform is restricted to a field of view of a first camera of the multi-camera capture system, as claimed in Claim 1, wherein **the connector is retractable and a distance between the subject platform and the camera platform is variable.**

Regarding Claim 4, the prior art neither teaches nor fairly suggests a camera platform configured to hold a multi-camera capture system, a connector coupled to the

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camera platform, and a subject platform coupled to connector, wherein the location of the subject platform is restricted to a field of view of a first camera of the multi-camera capture system, as claimed in Claim 1, further comprising a second connector, and a **second subject platform coupled to the second connector, wherein the location of the second subject platform is restricted to a field of view of a second camera of the multi-camera capture system.**

Claims 8 and 10 are substantially synonymous to claims 3 and 4.

Regarding 12, the prior art neither teaches nor fairly suggests a capture structure for a multi-camera capture system comprising a circular track system, and a camera platform configured to hold the multi-camera capture system and configured to move along the circular track system, as claimed in claim 11, further comprising a **subject platform encompassed by the circular track system.**

Regarding 15, the prior art neither teaches nor fairly suggests a capture structure for a multi-camera capture system comprising a circular track system, and a camera platform configured to hold the multi-camera capture system and configured to move along the circular track system, as claimed in claim 11, wherein the camera platform is configurable to align a first camera of the multi-camera capture system to **capture a subject located within the circular track system** as the camera platform moves along the circular track system.

5. **Claims 19-21 are allowed.**

Regarding Claim 19, the prior art neither teaches nor fairly suggests a method of operating a multi-camera capture system comprising mounting the multi-camera capture system to a camera platform, and **moving the camera platform along a circular track system while capturing a first subject within the circular track system.**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacqueline Wilson whose telephone number is (703) 308-5080. The examiner can normally be reached on 8:30am-5:00pm (alternate Fridays off).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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